

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
March 17, 2009

Lake Forest City Hall
25550 Commercentre Drive
City Council Chamber
Lake Forest, California 92630

PRELIMINARY ACTION AGENDA: The listed Action represents a brief synopsis of the City Council action. The City Council Minutes, when approved, stand as the official record of the meeting . This Preliminary Action Agenda is provided as quick reference only and is NOT intended to serve as any form of the official record and should not be relied upon in making important decisions. Before making important decisions, you should review the approved minutes.

CALL TO ORDER:

6:22 p.m.

ROLL CALL: Council Members:

Richard T. Dixon
Kathryn McCullough
Marcia Rudolph
Peter Herzog (Absent)
Mark Tetterer

Mayor Pro Tem:

Mayor:

City Manager:

City Attorney:

Acting City Clerk:

Robert C. Dunek
Scott C. Smith
Debra Rose

CLOSED SESSION (F: 16.3)

6:22 p.m.

1. CLOSED SESSION ITEMS FOR DISCUSSION (F:
 - A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8
Property: APN: 606-161-10
Agency negotiators: City Manager and City Attorney
Negotiating parties: Owner of Record
Under Negotiation: Price and Terms of Payment
 - B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8
Property: APNs: 606-341-01, 03, 05 & 606-351-01
606-341-04
606-321-08 (portion of)
104-143-30 and 104-143-39 (Orange County Flood
Control District); 104-143-42 and 104-541-26 (County of Orange)

Agency negotiators: City Manager and City Attorney
Negotiating parties: Owners of Record; County of Orange;
Orange County Flood Control District
Under Negotiation: Price and Terms of Payment/Terms of
Exchange

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property:

18 acre portion of Tentative Tract 15944 consisting of Lots 14, 15,
16, 21, and 22 along with the westerly 119'± of Lot 20 and the
westerly portion of Lot 17 described by a line extending from the
common front corner between Lots 16 & 17 "M" Street to a point
on the northeasterly line of Lot 20, 118'± from the north center,
Lake Forest, CA

Agency Negotiators: Owner of Record
Under Negotiation: Price and Terms of Payment

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 6:48 p.m. from Closed Session, for the purpose
of conducting regular City business.

RECONVENE: City Council reconvened at 7:03 p.m., to continue regular City
business, with Mayor Pro Tem Herzog absent.

PUBLIC SESSION

7:03 p.m.

PLEDGE OF ALLEGIANCE: (F: 26.21)

Council Member Dixon led the Pledge of Allegiance to the Flag of our Country.

CLOSED SESSION REPORT: (F: 16.3)

City Attorney Smith reported on Closed Session.

PRESENTATIONS:

2. PRESENTATION BY ORANGE COUNTY LOCAL AGENCY FORMATION (OC LAFCO) submitted by Assistant City Clerk. (F: 55.1) (X: 71.11)

ACTION: On motion by Council Member Dixon and second by Council Member McCullough, the City Council received the presentation. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

3. REPORT BY INVESTMENT OVERSIGHT REVIEWER QUARTER ENDED DECEMBER 31, 2008, submitted by Director of Finance/City Treasurer. (F: 30.10A)

ACTION: The City Council received the report from Kathryn Beseau with the firm of Macias, Gini & O'Connell LLP.

REPORT FROM STUDENT LIAISON: (F: 35.2A)

Christopher Berardino, Student Liaison from El Toro High School, presented his report.

RECESS: City Council recessed at 7:13 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:16 p.m., with Mayor Pro Tem Herzog absent to continue regular City business.

PUBLIC COMMENTS: (F: 26.12)

The public offered no comments.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 4)

4. WARRANT REGISTER submitted by Director of Finance/City Treasurer in the amount of \$1,779,789.35. (F: 30.11)

Council Member Rudolph pulled the following item for separate consideration: Richard Dixon, SCAG Meeting.

Council Member McCullough pulled the following item for separate consideration: County of Orange Animal Control, Contract Services.

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council approved the balance of the warrant register submitted. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

ACTION: On motion by Council Member Rudolph and second by Council Member Dixon, the City Council approved the warrant payable to County of Orange Animal Control, Contract Services. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council approved the warrant payable to Richard Dixon, SCAG Meeting. **MOTION CARRIED WITH COUNCIL MEMBER DIXON ABSTAINING, AND MAYOR PRO TEM HERZOG ABSENT.**

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 5-16) (Item No. 10 was pulled from the Consent Calendar for separate consideration)

5. **MOTION TO APPROVE THE READING BY TITLE OF ALL ORDINANCES AND RESOLUTIONS** submitted by Acting City Clerk.

ACTION: On motion by Council Member Dixon and second by Council Member Rudolph, the City Council waived the reading of Ordinances and Resolutions. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

6. **APPROVE MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON FEBRUARY 3, 2009**, submitted by Acting City Clerk.

ACTION: On motion by Council Member Dixon and second by Council Member Rudolph, the City Council approved the Minutes of the regular meeting of the City Council held on February 3, 2009, as submitted.

MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

7. AUDIT REPORTS - YEAR ENDED JUNE 30, 2008, submitted by Director of Finance/City Treasurer. (F: 30.2)

ACTION: On motion by Council Member Dixon and second by Council Member Rudolph, the City Council received and filed the report as submitted. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

8. MONTHLY TREASURER'S REPORT submitted by Director of Finance/City Treasurer. (F: 30.12)

ACTION: On motion by Council Member Dixon and second by Council Member Rudolph, the City Council received and filed the report as submitted. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

9. AMENDMENT TO ACCOUNTING SERVICES AGREEMENT submitted by Director of Finance/City Treasurer. (F: 48.8E)

ACTION: On motion by Council Member Dixon and second by Council Member Rudolph, the City Council approved the Tenth Amendment to the Agreement with Macias, Gini & O'Connell (formerly Moreland & Associates) for accounting services. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

10. DRAFT PLAN OF 2009/10 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) submitted by Assistant City Manager. (F: 73.7H)

ACTION: On motion by Council Member Dixon and second by Council Member McCullough, the City Council approved the 2009/10 draft plan for \$478,551 and reprogramming of unspent Community Development Block Grant (CDBG) of prior years. 2. Approved a 30-day public review and comment period for the draft plan and direct staff to return this matter to City Council for final review and adoption on May 5, 2009. MOTION CARRIED WITH COUNCIL MEMBER RUDOLPH OPPOSING AND MAYOR PRO TEM HERZOG ABSENT.

11. **PARK LAND EXCHANGE AGREEMENTS** submitted by City Manager. (F: ?)

ACTION: On motion by Council Member Dixon and second by Council Member Rudolph, the City Council: 1. Approved the Memorandum of Understanding with the County of Orange, in substantially the form attached. 2. Approved the Agreement to Exchange Property with the County of Orange, in substantially the form attached. 3. Authorized the City Manager to sign and the City Clerk to attest the MOU and the Exchange Agreement with the County of Orange, in substantially the form attached. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

12. **AWARD OF CONTRACT FOR PROFESSIONAL SERVICES FOR PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT** submitted by Director of Development Services. (F: ?)

ACTION: On motion by Council Member Dixon and second by Council Member Rudolph, the City Council: 1. Approved the agreement with ICF Jones & Stokes for preparation of supplemental EIR for a proposed sports park and community center. 2. Authorized the Mayor to execute, and the City Clerk to attest, the agreement with ICF Jones & Stokes. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

13. **AGREEMENT FOR CONSULTANT SERVICES WITH AUSTIN-FOUST ASSOCIATES** submitted by Director of Development Services. (F: 50.11E)

ACTION: On motion by Council Member Dixon and second by Council Member Rudolph, the City Council: 1. Approved the agreement with Austin-Foust Associates for Preparation of a Traffic Analysis for a Proposed Sports Park and Community Center. 2. Authorized the Mayor to execute, and the City Clerk to attest, the agreement with Austin-Foust Associates. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

14. **SIX MONTH EXPIRATION NOTICE – NEWSLETTER PRINTING** submitted by Director of Management Services. (F: 24.7B)

ACTION: On motion by Council Member Dixon and second by Council

Member Rudolph, the City Council received the report as submitted.
MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

15. APPROVAL OF PLANS, AND SPECIFICATIONS TO IMPROVE INTERSECTION ACCESS RAMPS (PW 2007.09B) submitted by Director of Public Works/City Engineer. (61.3A PW2007.09B)

ACTION: On motion by Council Member Dixon and second by Council Member Rudolph, the City Council: 1. Approved plans and specifications for the Intersection Access Ramps (PW 2007.09B). 2. Authorized the City Clerk to advertise and receive bids for this project. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

16. FIRST AMENDMENT TO AGREEMENT FOR PLAYGROUND AND PARK SAFETY INSPECTION SERVICES submitted by Director of Public Works/City Engineer. (F: 34.3E)

ACTION: On motion by Council Member Dixon and second by Council Member Rudolph, the City Council: 1. Approved the First Amendment with Playground Safety Analysts, for playground and park safety inspection services, substantially in the form attached. 2. Authorized the Mayor to sign, and the City Clerk to attest, the agreement amendment. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

DISCUSSION/ACTION ITEMS:

17. ORDINANCE PROHIBITING RECREATIONAL VEHICLE PARKING IN BUSINESS AND INDUSTRIAL ZONE submitted by Director of Public Works/City Engineer. (F: 66.5W)

ACTION: On motion by Council Member McCullough and second by Council Member Rudolph, the City Council introduced and approved for first reading Ordinance No. 201 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING CHAPTERS 12.04 AND 12.16 OF THE LAKE FOREST MUNICIPAL CODE TO PROHIBIT THE STOPPING, STANDING AND PARKING OF RECREATIONAL VEHICLES IN THE BUSINESS AND INDUSTRIAL ZONE. MOTION CARRIED WITH MAYOR TETTEMER ABSENT (ABSTAINING) AND MAYOR PRO TEM HERZOG ABSENT.

18. LEGISLATIVE AND REGULATORY MATTERS submitted by the Assistant to the City Manager. (F: 72.2B)

ACTION: The City Council received and filed the report as submitted.

19. REQUESTS FOR APPOINTMENT TO AGENCIES, BOARDS, COMMISSIONS AND/OR COMMITTEES THROUGH THE LEAGUE OF CALIFORNIA CITIES submitted by Acting City Clerk. (F: 43.4B)

ACTION: The City Council made no appointments.

CITY MANAGER'S REPORT: (F: 26.17)

City Manager Dunek offered no comments.

CITY COUNCIL COMMENTS: (F: 26.9)

Council Member Dixon presented no comments.

Council Member McCullough presented comments.

Council Member Rudolph presented comments.

Mayor Pro Tem Herzog (Absent)

Mayor Tetteimer presented comments.

CONTINUED CLOSED SESSION: (F: 16.3)

ACTION: There was no continued Closed Session.

ADJOURNMENT: (F: 26.8) 8:18 P.M.